

**SENATE JOURNAL
61ST LEGISLATURE
FORTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 26, 2009

Senate Chambers
State Capitol

Senate convened at 8:00 a.m. President Story presiding. Invocation by Pastor Keith Johnson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Brenden and Squires, excused. Quorum present.

BILLS AND JOURNALS:

2/26/2009

Correctly printed: **SB 20, SB 94, SB 199, SB 221, SB 286, SB 288, SB 290, SB 333, SB 351, SB 367, SB 388, SB 403, SB 406, SB 442, SB 445, SB 475, SB 484, SB 485, SB 493, HB 13.**

MESSAGES FROM THE OTHER HOUSE

House bills passed and transmitted to the Senate for concurrence:

2/25/2009

HB 307, introduced by Roberts
HB 331, introduced by Morgan
HB 375, introduced by Phillips
HB 390, introduced by Reinhart
HB 402, introduced by French
HB 409, introduced by Pomnichowski
HB 418, introduced by Butcher
HB 451, introduced by Ebinger
HB 453, introduced by P. Noonan
HB 466, introduced by P. Beck
HB 483, introduced by Jones
HB 486, introduced by MacLaren
HB 488, introduced by Jones
HB 504, introduced by Reinhart
HB 513, introduced by Cohenour
HB 517, introduced by Hollenbaugh
HB 522, introduced by Reinhart
HB 529, introduced by Jones
HB 530, introduced by Arntzen
HB 536, introduced by Malek
HB 545, introduced by Vincent
HB 557, introduced by Belcourt
HB 572, introduced by Pomnichowski
HB 574, introduced by Vincent
HB 584, introduced by A. Noonan
HB 591, introduced by Pease-Lopez
HB 592, introduced by Randall
HB 593, introduced by Villa
HB 602, introduced by Cohenour
HB 608, introduced by Sesso
HB 621, introduced by Wilson
HB 623, introduced by Milburn

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HB 626, introduced by Welborn

House joint resolutions passed and transmitted to the Senate for concurrence:

2/25/2009

HJR 23, introduced by Augare

HJR 25, introduced by Warburton

HJR 27, introduced by Wilmer

HJR 29, introduced by Becker

HB 362, introduced by Henry, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the House and was transmitted to the Senate with the following vote:

2/25/2009

Yeas - 88

Nays - 12

HB 289, introduced by Phillips, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the House and was transmitted to the Senate with the following vote:

2/25/2009

Yeas - 51

Nays - 49

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 20 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Brenden, Squires.

Total 2

SB 94 passed as follows:

Yeas: Balyeat, Barkus, Branae, Brueggeman, Cooney, Erickson, Esp, Essmann, Gallus, Gillan, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Perry, Schmidt, Squires, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 34

Nays: Bales, Barrett, Black, Brenden, R. Brown, T. Brown, Curtiss, Gebhardt, Hamlett, Hinkle, Murphy, Peterson, Ripley, Shockley, Steinbeisser, Stewart-Peregoy.

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Total 16

Paired: Squires, Aye; Brenden, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 199 passed as follows:

Yeas: Branae, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Schmidt, Shockley, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke.
Total 34

Nays: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, Esp, Hinkle, Jackson, Laible, McGee, Ripley, Steinbeisser, Tutvedt, Mr. President.
Total 16

Paired: Squires, Aye; Brenden, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 200 passed as follows:

Yeas: Black, Branae, T. Brown, Brueggeman, Cooney, Erickson, Essmann, Gallus, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Moss, Murphy, Perry, Schmidt, Shockley, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke.
Total 34

Nays: Bales, Balyeat, Barkus, Barrett, R. Brown, Curtiss, Esp, Gebhardt, Hinkle, Lewis, McGee, Peterson, Ripley, Steinbeisser, Mr. President.
Total 15

Paired: Squires, Aye; Gebhardt, No.

Absent or not voting: None.

Total 0

Excused: Brenden.

Total 1

SB 221 passed as follows:

Yeas: Barkus, Black, Branae, T. Brown, Brueggeman, Cooney, Erickson, Essmann, Gallus, Gillan, Hamlett, Hansen,

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Hawks, Jackson, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Murphy, Perry, Ripley, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke.

Total 33

Nays: Bales, Balyeat, Barrett, Brenden, R. Brown, Curtiss, Esp, Gebhardt, Hinkle, Laible, Lewis, McGee, Peterson, Shockley, Steinbeisser, Tutvedt, Mr. President.

Total 17

Paired: Squires, Aye; Brenden, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 267 passed as follows:

Yeas: Barkus, Barrett, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 38

Nays: Bales, Balyeat, Black, Brenden, Gallus, Hinkle, Jackson, Laible, Lewis, McGee, Steinbeisser, Tutvedt.

Total 12

Paired: Squires, Aye; Brenden, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 286 passed as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hinkle, Jackson, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Zinke, Mr. President.

Total 44

Nays: Balyeat, Hawks, Jent, Perry, Windy Boy.

Total 5

Paired: Brenden, Aye; Perry, No.

Absent or not voting: None.

Total 0

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Excused: Squires.
Total 1

SB 288 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Stewart-Peregoy, Tutvedt, Mr. President.
Total 28

Nays: Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke.
Total 22

Paired: Brenden, Aye; Squires, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 290 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Erickson, Essmann, Gebhardt, Gillan, Hamlett, Hawks, Hinkle, Jackson, Jent, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Windy Boy, Zinke, Mr. President.
Total 41

Nays: Cooney, Esp, Gallus, Hansen, Juneau, Kaufmann, Moss, Williams.
Total 8

Paired: Brenden, Aye; Esp, No.

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

SB 333 passed as follows:

Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.
Total 27

Nays: Branae, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.
Total 23

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Paired: Brenden, Aye; Squires, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Pursuant to Senate Rule S50-100(2) on bills proposing an amendment to the Montana Constitution, **SB 333** will progress as though it had received the majority vote.

SB 351 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Brenden, Squires.
Total 2

SB 367 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Brenden, Squires.
Total 2

SB 388 passed as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jackson, Jent, Juneau, Kaufmann, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

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Total 42

Nays: Balyeat, Brenden, Hinkle, Keane, McGee, Shockley, Steinbeisser.

Total 7

Paired: Esp, Aye; Brenden, No.

Absent or not voting: None.

Total 0

Excused: Squires.

Total 1

SB 403 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hinkle, Jackson, Keane, Laible, Laslovich, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Shockley, Squires, Steinbeisser, Tutvedt, Zinke, Mr. President.

Total 34

Nays: Branae, Cooney, Erickson, Hawks, Jent, Juneau, Kaufmann, Larsen, Moss, Schmidt, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.

Total 16

Paired: Brenden, Squires, Aye; Cooney, Hawks, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 406 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Curtiss, Esp, Essmann, Gebhardt, Hansen, Hinkle, Jackson, Laible, Lewis, McGee, Murphy, Perry, Peterson, Ripley, Steinbeisser, J. Tropila, Windy Boy, Mr. President.

Total 26

Nays: Branae, Brueggeman, Cooney, Erickson, Gallus, Gillan, Hamlett, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Schmidt, Shockley, Squires, Stewart-Peregoy, M. Tropila, Tutvedt, Wanzenried, Williams, Zinke.

Total 24

Paired: Brenden, Aye; Squires, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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Pursuant to Senate Rule S50-100(2) on bills proposing an amendment to the Montana Constitution, **SB 406** will progress as though it had received the majority vote.

SB 407 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Brenden, Squires.
Total 2

SB 442 passed as follows:

Yeas: Balyeat, Barkus, Barrett, Black, Branae, Brenden, R. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Schmidt, Shockley, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 45

Nays: Bales, T. Brown, Ripley, Steinbeisser.
Total 4

Paired: Brenden, Aye; T. Brown, No.

Absent or not voting: None.
Total 0

Excused: Squires.
Total 1

Pursuant to Senate Rule S50-100(2) on bills proposing an amendment to the Montana Constitution, **SB 442** will progress as though it had received the majority vote.

SB 445 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hinkle, Jackson, Juneau, Kaufmann, Larsen, Laslovich, Lewis, Moss, Murphy, Peterson, Ripley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Williams, Windy Boy, Zinke, Mr. President.
Total 36

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Nays: Brenden, Esp, Hansen, Hawks, Jent, Keane, Laible, McGee, Perry, Schmidt, Shockley, Squires, Tutvedt, Wanzenried.

Total 14

Paired: Barkus, Laslovich, Aye; Brenden, Squires, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 463 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Brenden, Squires.

Total 2

SB 475 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Brenden, Squires.

Total 2

SB 482 passed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hamlett, Hansen, Hinkle, Jackson, Jent, Laible, Laslovich, Lewis, McGee, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.

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Total 29

Nays: Branae, Cooney, Erickson, Gallus, Gillan, Hawks, Juneau, Kaufmann, Keane, Larsen, Moss, Murphy, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.

Total 20

Paired: Laslovich, Aye; Squires, No.

Absent or not voting: None.

Total 0

Excused: Brenden.

Total 1

SB 484 failed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Brenden, R. Brown, T. Brown, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Perry, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Mr. President.

Total 24

Nays: Branae, Brueggeman, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Murphy, Schmidt, Squires, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke.

Total 26

Paired: Brenden, Aye; Squires, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 485 passed as follows:

Yeas: Bales, Balyeat, Barkus, Black, Branae, T. Brown, Brueggeman, Cooney, Curtiss, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, Moss, Murphy, Perry, Schmidt, Shockley, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy, Zinke.

Total 36

Nays: Barrett, Brenden, R. Brown, Erickson, Esp, Essmann, Gebhardt, Hinkle, Jackson, McGee, Peterson, Ripley, Tutvedt, Mr. President.

Total 14

Paired: Squires, Aye; Brenden, No.

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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HJR 8 concurred in as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Hinkle, Jackson, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Shockley, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Brenden, Squires.
Total 2

HB 13 concurred in as follows:

Yeas: Bales, Barkus, Barrett, Black, Branae, R. Brown, T. Brown, Brueggeman, Cooney, Curtiss, Erickson, Esp, Essmann, Gallus, Gebhardt, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Laible, Larsen, Laslovich, Lewis, McGee, Moss, Murphy, Perry, Peterson, Ripley, Schmidt, Squires, Steinbeisser, Stewart-Peregoy, J. Tropila, M. Tropila, Tutvedt, Wanzenried, Williams, Windy Boy, Zinke, Mr. President.
Total 45

Nays: Balyeat, Brenden, Hinkle, Jackson, Shockley.
Total 5

Paired: Squires, Aye; Brenden, No.

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SPECIAL ORDERS OF THE DAY

Senator Barkus thanked the Pages for their work during the week of February 23-26, 2009.

MOTIONS

Senator Balyeat moved to reconsider the third-reading vote on **SB 484**.

Senator Williams made a substitute motion that **SB 484** be indefinitely postponed. Motion failed as follows:

Yeas: Branae, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Murphy, Schmidt, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.
Total 23

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Nays: Bales, Balyeat, Barkus, Barrett, Black, R. Brown, T. Brown, Brueggeman, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.
Total 24

Absent or not voting: Perry.
Total 1

Excused: Brenden, Squires.
Total 2

Motion to reconsider third reading action on **SB 484** failed as follows:

Yeas: Bales, Balyeat, Barkus, Barrett, Black, R. Brown, T. Brown, Curtiss, Esp, Essmann, Gebhardt, Hinkle, Jackson, Laible, Lewis, McGee, Peterson, Ripley, Shockley, Steinbeisser, Tutvedt, Zinke, Mr. President.
Total 23

Nays: Branae, Brueggeman, Cooney, Erickson, Gallus, Gillan, Hamlett, Hansen, Hawks, Jent, Juneau, Kaufmann, Keane, Larsen, Laslovich, Moss, Murphy, Schmidt, Stewart-Peregoy, J. Tropila, M. Tropila, Wanzenried, Williams, Windy Boy.
Total 24

Absent or not voting: Perry.
Total 1

Excused: Brenden, Squires.
Total 2

Majority Leader Peterson moved that the Senate adjourn until 5:00 p.m., Monday, March 2, 2009. Motion carried.

Senate adjourned at 8:38 a.m.

MARILYN MILLER
Secretary of the Senate

ROBERT STORY
President of the Senate